OFFICE OF THE TOWN MUNICIPAL COUNCIL, COONDAPOOR, SOUTH KANARA.

Notification dated 16th October 1973.

Notice is hereby given for the information of persons likely to be affected thereby that the following Model bye-laws have been adopted and Bye-Laws shall come in force in the Municipality with effect from 1st January 1974.

1 Title.—These bye-laws may be called the Mysore Municipalities Octroi Model Bye-Laws, 1965

2 Definitions.—In these bye-laws unless the context otherwise requires.,—

(a) 'Act' means the Mysore Municipalities Act, 1964;
(b) 'Form' means a form appended to these bye-laws;
(c) 'Section' means a section of the Act.

3 Dutiable article to pass through octroi stations.—No article liable to octroi shall be brought within the Municipality except through the octroi stations specified by the Municipal council.

4 Inspection, etc.—The octroi stations at which goods shall be liable to inspection shall be on the roads specified by the Municipal Council, or the bonded ware-house, or post office or railway station as the case may be Every person bringing dutiable goods into the Municipal limits shall report the fact at the first of the octroi stations on the route by which it is brought. All officers of the octroi department authorised in this behalf may inspect the contents of any conveyance or package.

5 Post Office.—(1) Any person receiving articles liable to octroi through post shall pay the duty to the Octroi officials on duty in or near such post Office.

(2) (i) The addressee or any agent of the addressee or the person receiving from or taking delivery of articles through the post office shall file a declaration about the contents or value of the articles received together with the documents such as invoices, receipts or correspondence.

(ii) Information regarding the recipt of articles liable to octroi by post and the person by whom the are received may be obtained by the Municipal Commissioner or the Chief Officer as the case may be for verifying the contents of the declaration filed.

(3) If no such declaration is filed and no duty is paid, the person receiving the articles or the addressee whether resident within the Municipal limits or not, shall produce the articles or cause them to be produced before the Municipal Commissioner or the Chief Officer as the case may be.

6 Assessment and collection of octroi near the railway station.—The octroi official in charge of an ortroi station established near a railway station or goods yard shall assess and collect octroi on the goods with reference to the railway receipt or invoice produced by the person bringing the goods.

7 Table of octroi.—A table showing the octroi leviable shall be open to inspection by any person at the Municipal office and copies thereof shall be supplied without any charge to any person requiring the same. Such table shall also be affixed in a conepicuous place at every octroi station at which octroi is levied.

8 Establishment of bonded warehouse.—The Municipal Council shall provide a bonded warehouse for the custody of goods which may be declared as intended for temporary detention within the Municipal limitsand for eventual transport outside the Municipal limits or for being brought within the Muincipal limits after payment of octroi.

9 Working hours of bonded warehouse.—The bonded waeehouse shall be kept open for transaction from 7-00 a.m. to 10-00 a.m. and 2-00 p.m. to 5-00 p.m. daily except on sundays and holidays authorised by the Municipal council. Arrangement shall be made by the Municipal Council for dealing with perishable articles on Sundays and holidays.

10 Issue of pass.—When goods are to be taken to the bonded warrhouse, a pass in Form I shall be issued to the person bringing the goods at the octroi station at which such goods are brought into the Municipal limits.

11 Depositing declaration.—Any person depositing goods in the bonded warehouse shall unless the officer-in-charge of the octroi station has previously by weighing, counting or aapprsiing ascertained the amount of octroi payable thereon, give a declaration in writing in Form II of the description, weight, quantity, and if necessary of the value, of such goods.

12 Issue of receipt.—A receitt in Form III shall be given by the Officer-in-charge of the bonded warehouse for all the goods deposited in the bonded warehouse and a register of all such goods shall be matintained by him in Form IV showing the date of deposit, the description of the goods deposited and the date of removal of the goods and the storage fees paid, if any.

13 Depositor to obtain receipt and produce it for delivery.—It shall be the duty of the depositor to obtain receipt for goods deposited by him and the Octroi Department shall not be responsible for any goods left at the premises which are not covered by a receipt. The receipt given by the Octroi Department to the person for depositing the goods shall be returned for taking delivery of the goods to which it relates. If the depositor does not himself take delivery the goods deposited in the Octroi Office he shall endorse on the receipt a request for deliver to the person to whom he wishes it to be made.

3—3 5

14 Delivery of goods when receipt is not produced:—The Officer-in-charge of the octroi office may refuse to deliver the goods if the receipt obtained for having deposited such goods is not produced at the time of taking delivery of such goods; the delivery of such goods may at his discretion be witheld until the person entitled in his opinion to receive such goods has given an indemnity to his satisfaction.

15 Person depositing goods may break bulk or change the packing:—Any person who has deposited goods in the bonded warehouse may break bulk or change the packing thereof on application to the Officer-in-charge of the warehouse or may on paying octroi thereon bring such goods into the municipal limits or may transport such goods outside the municipal limits.

16 Storage fee:—No goods shall be allowed to leave the bonded warehouse until storage fees have been paid thereon at the following rates, namely:—

(a) goods shall be allowed to remain free of charge for twenty-four hours and after that period a char g shall be made at the following rates for seven days or portion thereof, namely:—

Table of Storage Fees

Name of goods		*Rates*
		Rs.—P.
(a) Stationary (Per case or per bundle per day)	...	0—20
(b) Iron or wooden cup boards (per cupboard per day)	...	0—20
(c) Truck bundle (per bundle per day)	...	0—20
(d) Copper pots (per bundle per day)	...	0—20
(e) Medicines (per box per day)	...	0—20
(f) Cloth (per bundle per day)	...	0—20
(g) Hardware goods or Machinary goods (per articles per da	...	0—10
(h) Betle nut (per bag per day)	...	0—10
(i) Sugar empty bags, rope coir (per bag, per bundle per day)	...	0—10
(j) Paper (per bundle per day)	...	0—10
(k) Food grains (per bag per day)	...	0—10
(l) Incense sticks Udabatti (per box or bundle per day)	...	0—10
(m) Indian News Real (per bundle per day)	...	0—10
(n) Hides and products thereof (per bag or container per day)	...	0—10
(o) Tea (per case or bundle per day)	...	0—05
(p) Soap (per box per day)	...	0—05
(q) Biscuits tin, oil tin, (per tin per day)	...	0—05
(r) All other goods other than the above mentioned (per article, bundle or bag per day)	...	0—10

(b) double the rates shall be charged afrer seven days, provided the municipal council may at its discreation allow a reduction in or exemption from such double rates;

(c) the dates of admission and removal of goods taken together shall reckon as one day and Sundays and holidays shall not be taken into account in reckoning the date for which fees under each class shall be payable, and when delay is caused by the inability of the Officer in charge of warehouse to exmine and pass goods, such period of delay shall not be reckoned.

17 Receipt for payment of storage fees:—For the storage fees received, receipt shall be issued in Form V.

18 Period for claiming deposited goods and disposal of unclaimed goods:—All perishable commodities remaining uncleared or unclaimed after forty-eight hours shall be sold by public action to the highest bidder at the bonded warehouse. All other goods remaining uncleared or unclaimed for a longer period than six months shall be sold in the manner, provided that, before selling such goods, notices of the fact shall be posted for seven days at the bonded warehouse at the municipal office and provided further that the goods shall be sold earlier when the storage fees are likely to exceed their value.

19 Sale proceeds how dealt with:—When any goods are sold under bye-law 18, the sale proceeds shall be credited to the municipal funds, in payment of octroi and storage fees due in respect thereof. provided that if the amount reliased by the sale exceeds the amount so due, the balance shall be kept in deposit for one year and any claims for such balances received during the time shall be considered by the Municipal Commissioner or Chief Officer as the case may be. After the expiry of one year, or after all claims received during that period have been disposed of, the balance shall be credited to Municipal funds. No claims shall be admitted after the said period of one year, except by special permission of the municipal council.

20 Municipal Council not responsible for damage to goods:—The Municipal Council shall not be responsible for any damage that may be caused to goods deposited in the bonded warehouse while such goods are being passed to or out of warehouses are while they remain therein unless such damage is proved to have been caused by the wilful neglect of the warehouse keeper or other person-in-charge of the safe custady of goods.

21 Permission to use private warehouses as bonded warehouse:—Any person may, with the sanction of the Municipal Commissioner or the Chief Officer, as the case may be, be permitted to use any place as a bounded warehouse on payment of the cost of such establishment and subject to such conditions as may in each case be fixed by the Municipal Commissioner or Chief Officer, as the case may be.

22 Refunds:—On all articles on which octroi has been paid and which are subsequently transported beyond the municipal limits refunds shall, subject to these bye-laws be granted at the rates originally charged at the time they were brought into the municipal limits:

Provided that no such refund shall be granted except in the case of :—

(i) timber brought in and transported outside the municipal limits in logs within six months ;
(ii) goods other than those referred to in item (i), brought in and transported outside the municipal limits within one month, from othe date on which octroi was levied.

23 Refunds when inadmissible:—No refund shall be allowed in respect of goods:—

(a) regarding which the amount of octroi levied does not exceed one rupee,
(b) regasding which a declaration of the intention to transport outside the municipal limits has not been made at the time of bringing them into the municipal limits;
(c) Which since they were brought within the municipal limits have changed their form by any process of manufacture or in respect of which any business has been transacted by way of sale, barter or hire or in any other way ;
(d) which are not transported outside the municipal limits within one month from the date of their being brought into the municipal limits.
(e) which are transported outside the municipal limits within one month of their being brought into the municipal limits but regarding which due intimation has not been given to the Municipal Commissioner, or the Chief Officer within such time as may be fixed by the Municipal council; within office hours and before 6 hours of export of goods.
(f) which are transported outside the Municipal limits after twelve hours from the time of issue of the permit in Form VI;
(g) regarding which no application for refund is made within fifteen days from the date of the transport outside the Municipal limits :

Provied that in the case of petrol brought within the municipal limits and transported thereafter, such petrol shall be deemed to be the same which is brougt into the municipal limits and no further proof of identification need be demanded to establish a claim for the refund of octroi.

24 Procedure of refunds goods are transported out of the municipal limits within twenty-four hours:—(1) In the case of goods which are transported outside the municipal limits without breaking in bulk within twentyfour hours of their being brought into the municipal limits and on which octroi has been collected, refunds shall be made by the octroi official in charge of the octroi station from which they are transported outside the municipal limits, in accoradance with the following procedure, namely:—

(i) the octrol official shall—
(a) require the production of the receipt relating to the goods issued at the time they were brought with in the municipal limits;
(b) examine the receipt and seal or mark;
(c) sastisfy himself that the goods are the same as those specified in the receipt and that the bulk is not broken;

(ii) On being satisfied that the procedure as laid down in clause (i) has been followed the octroi official shall sign the declaration in Form VI and then refund the amount after taking the signature of the person bringing the goods to the municipal limits on the declaration form in acknowledgment of the refund.

(2) No refunds shall be made by the octroi official in charge of the octroi station in the case of goods transported outside the municipal limits after twenty four hours of their being brought within the municipal limits.

(3) In the case of parcel to be transported outside the municipal limits, within twenty-four hours part by part, by breaking bulk, the person transporting the goods should follow the procedure of obtaining permits in Form VI and claiming of refunds under the procedure of refunds for transport outside the limits after twenty-four hours and within one month.

25. Procedure for refund for transport outside the municipal limits after twenty-four hours and within one month :—Any person claiming refund under these bye-laws shall produce goods to be transported outside at the municipal office together with the duplicate receipt for octroi paid thereon and the application for refund prepared in Form VII which can be obtained free of charges at the municipal office.

26. Calculation of the amount of refund to be paid :—On receiving an application under the preceding bye-laws the officer authorised for this purpose on being satisfied as to the identity of the goods produced with those for which receipt is being granted shall calculate the refund to be paid.

27. Presentation of application for refund —The application for refund with the goods to which it relates shall be presented at the octroi station through which it is transported outside the municipal limits, within such interval from the hour of examination as the municipal council may determine. This interval shall be fixed with due regard to, among other things, the distance of the octroi posts from the municipal office but shall in no case exceed twelve hours.

Lorry.....15 minutes
Cart.....30 minitus

28. Checking of goods produced with the entries in the refund application form.—The octroi official in charge of the octroi station from which the goods are transported outside the municipal limits shall satisfy himself that the goods produced for transport outside the municipal limits as covered by the refund application correspond with the entries in the refund application form and that they are presented within the time limit fixed by the municipal council under the preceding by-law.

29. Goods to be permitted to be transported after filling up the certificate :—If the goods are being transported outside the municipal limits otherwise than by rail and if the consignment appears to be duly covered by the refund form and is produced for transportation outside within the time limits, the octroi official shall verify entries in the refund form with that of the goods under transportation and certify the refund form and fill up the certificate on the reverse of the application and return the application to the person who intends to transport or his agent and shall allow the consignment to proceed. Otherwise he shall his agent and shall retain the refund form and report the circumstances forthwith for the orders of his immediate superior.

30. Procedure for refund in case of Goods transported by rail. If the goods are transported outside the municipal limits, by rail, the official in charge of the octroi station of exit shall ratain the refund form pending production of a railway receipt for all the goods covered by the refund form. Upon production of the railway receipt if, after the enquiry, the octroi official concerned is satisfied that the goods produced are covered by the refund form and also by the railway receipt in question,, he shall then endorse on the reverse of the from, the number and date of the railway receipt and shall return the form and railway receipt to the person in charge of the goods.

31. Payment of refund .—In all cases in which refund is claimed, the form duly endorsed in accordance with the preceding bye-laws with the railway receipt if any, must be produced at the municipal Office by the person seeking the refund, where it shall be checked by the refund clerk with original entries in the refund ledger, and the report on the reverse of the form shall be filled up and signed by him and if after due check, the Municipal Commissioner or Chief Officer as the case may be is satisfied that a refund of octroi covered by the refund form is duly payable he shall pass an order for payment and forthwith pay the same to the person presenting the refund form obtaining acknowledgment in the place provided.

32. Licence to be obtained for selling articles liable to octroi.—No person shall sell the following articles liable to octroi without obtaining a licenee granted in this behalf, namely. Articles mentioned in schedule No. II of the Mysore Municipalties Act, 1964.

33. Licence fee.—Fees shall be charged at the following rater for grant of licences, namely.

(1) Wholesale dealer's Licence	...	...	... Six rupees
(2) Retail dealer's licence	...	...	... Three rupees
(3) Street hawker's Licence	...	...	... One rupee

34. Conditions of licence.—The conditions subject to which a licence is granted shall be those indicated in Form VIII or Form IX or Form X as the case may be.

35. Power to refuse or cancell licence.—The Municipal Commissioner or Chief Officer as the case may be, may grant suspend, withdraw, or refuse licences required to be granted under these bye-laws.

36. Articles in respect of which licence is required not to be brought within the muncipal limits or kept for sale, etc.—It shall not be lawful for any person to bring into the municipal limits or keep, sell, or officer for sale any specified article in any form for which a licence is requried after such licence is refused, suspend or withdrawn or cancelled.

37. Penalty for contravening of bye-laws.—Any person contravening any of the bye-laws indicated in column (1) of the Table below shall be punishable with fine which may extend to the amount indicated in the corresponding entry in column (2) thereof, and in the case of containing contravenntion with an additional fine as indicated in column (3) and where the contravention contiues after receipt of a notice from the municipal council with fine as indicated in column (4) thereo

TABLE

Sl. No. of bye-law	Amount of fine leviable for contravention	Amount of the leviable for continuing contravention	Amount or fine leviable for continuing contravention after the receipt of notice
1	2	3	4
3	Rs. Fifty ...	Rs. Ten ...	Rs. Five
4	Rs. Twenty-Five ...	Rs. Five ...	Rs. Two
5	Rs. Fifty ...	Rs. Ten ...	Rs. Five
32	Rs. Fifty ...	Rs. Ten ...	Rs. Five
36	Rs. Fifty ...	Rs. Ten ...	Rs. Five

Town Municipality,
Coondapur.

A. PINTO,
Chief Officer,
Coondapur Town Municipality,
South Kanara.

Dated 16-10-1973

Description of the Octroi Centres:

1. Near Chickansal road and High way junction.
2. East Block road end.
3. Doig Ferry end.
4. Kote bagilu road en
4. Gongolli Ferry road
6. Church Road end.
7. Near Shst

FORM 6

[*See Rule 11 (8)*]

RETURN OF ELECTION.

Election to the Office of the President of the Municipal Council.

RETURN OF ELECTION

Serial No.	Name of Candidate	Number of valid votes polled.
	Total number of valid votes polled	15
	Total number of rejected votes	Nil
	I declare that Sri S. Siddappa of Ajjampura Town has been duly elected as the President.	

Place : Ajjampura
Date : 10—1—1974

....,
Election Officer.

FORM 6

[*See Rule 11 (8)*]

RETURN OF ELECTION.

Election to the Office of the Vice-President of the Municipal Council.

RETURN OF ELECTION

Serial No.	Name of Candidate	Number of valid votes polled.
	Total number of valid votes polled	
	Total number of rejected votes	
	I declare that Sri Channahna of Ajjampura Town has been duly elected as the Vice-President.	

Place : Ajjampura
Date : 10—1—1974

....,
Election Officer.